

2.12.01

LAW OFFICES  
**SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC**  
 1010 EL CAMINO REAL  
 MENLO PARK, CA 94025  
 TELEPHONE (650) 325-5800  
 FACSIMILE (650) 325-6606  
 www.sughrue.com

February 9, 2001

J1041 U.S. PTO  
 02/09/01

J1040 U.S. PTO  
 09/780877  
 02/09/01

**BOX PATENT APPLICATION**  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Express Mail No. EL054550289US

Re: Application of William J. CHASTAIN  
 A METHOD FOR TRANSMITTING AND RECEIVING DIGITAL  
 INFORMATION OVER UNUSED PORTIONS OF LICENSED  
 COMMUNICATION CHANNELS  
 Our Ref: CA1066

Dear Sir:

Attached hereto is the application identified above including seventeen (17) sheets of the specification, claims, six (6) sheets of formal drawings, **executed Assignment, PTO 1595 form, executed Declaration and Power of Attorney, and a Small Entity Declaration.**

The Government filing fee is calculated as follows:

Total claims	<u>19</u> - 20 = <u>0</u>	x	\$9* =	\$ 0.00
Independent claims	<u>3</u> - 3 = <u>0</u>	x	\$40* =	\$ 0.00
Base Fee				\$ <u>355.00*</u>
<b>TOTAL FILING FEE</b>				\$ 355.00*
Recordation of Assignment				\$ <u>40.00</u>
<b>TOTAL FEE</b>				\$ 395.00

\*Reduced by one-half as Applicant is a "small entity". A Small Entity Declaration establishing such qualification is being filed concurrently herewith.

Checks for the statutory filing fee of \$355.00 and Assignment recordation fee of \$40.00 are attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC

Assistant Commissioner for Patents  
Page 2

Priority is claimed from April 7, 2000, based on U.S. Provisional Application No. 60/195,860.

Respectfully submitted,

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
Attorneys for Applicant

By: Frank L. Bernstein  
Frank L. Bernstein  
Registration No. 31,484



23493

PATENT TRADEMARK OFFICE

105020 03037 020301

02-12-01

A

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

William J. CHASTAIN

Filed: February 9, 2001

For: A METHOD FOR TRANSMITTING AND RECEIVING DIGITAL INFORMATION  
OVER UNUSED PORTIONS OF LICENSED COMMUNICATION CHANNELS

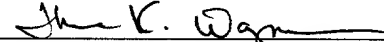
**"EXPRESS MAIL" CERTIFICATE OF MAILING**

I hereby certify that this paper and the attachments hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below, addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

**EL054550289US**

Express Mail Certificate Number: EL054550289US

Date: February 9, 2001

Signed:   
Thea K. Wagner

Enclosures:

1. PrintEFS bibliographic data sheet output;
2. PTO Transmittal Letter (original and 1 copy) with check No. 164802 (\$355.00);
3. Declaration and Power of Attorney;
4. Small Entity Declaration;
5. Application, including the specification (12 pages), claims 1-19 (pages 13-16), and the Abstract (page 17);
6. Formal Drawings (Figs. 1-6b);
7. PTO Form 1595 with the executed Assignment and check No. 164801 (\$40.00).

0978037 020501